

JPT RECEIVED TO 24 JUL 2005

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |  |  |
|---|--|--|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b> |  | ATTORNEY'S DOCKET NUMBER<br>2004P00160WOUS   |
| INTERNATIONAL APPLICATION NO.<br>PCT/EP2005/050220  |  | INTERNATIONAL FILING DATE<br>01/19/2005  |
| TITLE OF INVENTION<br>COFFEE MACHINE COMPRISING A CONTINUOUS HEATER   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/587224</b><br>PRIORITY DATE CLAIMED - -<br>01/30/2004 |
| APPLICANT(S) FOR DO/EO/US<br>Johann Magg et al  |  |  |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |              |   |         |  |           |
|---|--------------|---|---------|--|-----------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/587224</b>   |              | INTERNATIONAL APPLICATION NO.<br>PCT/EP2005/050220                            |         | ATTORNEY'S DOCKET NUMBER<br>2004P00160WOUS |           |
| 20. Other items or information:<br>a.) Return Postcard<br>b.) Certificate of Translation  |              |   |         |  |           |
| The following fees have been submitted  |              |   |         | <b>CALCULATIONS</b>                        |           |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300   |              |   |         | \$ 300.00                                  |           |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))   |              |   |         |  |           |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0   |              |   |         | \$ 200.00                                  |           |
| All other situations.....\$200  |              |   |         |  |           |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))  |              |   |         |  |           |
| If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0  |              |   |         | \$ 400.00                                  |           |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100   |              |   |         |  |           |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400  |              |   |         |  |           |
| All other situations.....\$500  |              |   |         |  |           |
| <b>TOTAL OF 21, 22 and 23 =</b>   |              |   |         | \$ 900.00                                  |           |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |              |   |         |  |           |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE    |  |           |
| - 100 =   | /50 =        |   | x \$250 | \$   |           |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).   |              |   |         | \$   |           |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE    | \$   |           |
| Total claims  | 9 - 20 =     | 0   | x \$ 50 | \$ 000.00                                  |           |
| Independent claims  | 1 - 3 =      | 0   | x \$200 | \$ 000.00                                  |           |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360 | \$   |           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |         | \$ 000.00                                  |           |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |              |   |         |  |           |
| <b>SUBTOTAL =</b>   |              |   |         | \$ 900.00                                  |           |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |              |   |         | +  |           |
| <b>TOTAL NATIONAL FEE =</b>   |              |   |         | \$ 900.00                                  |           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |         | +  |           |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |         | \$ 900.00                                  |           |
|   |              |   |         | Amount to be refunded:                     | \$        |
|   |              |   |         | Amount to be charged                       | \$ 900.00 |

10/587224  
IAP11 Rec'd PCT/PTO 24 JUL 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

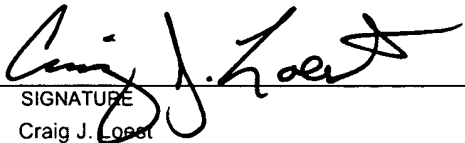
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 502786 in the amount of \$ 900.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 502786. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Craig J. Loest  
BSH Home Appliances Corporation  
100 Bosch Blvd.  
New Bern NC 28562

  
\_\_\_\_\_  
SIGNATURE  
Craig J. Loest  
\_\_\_\_\_  
NAME  
48,557  
\_\_\_\_\_  
REGISTRATION NUMBER

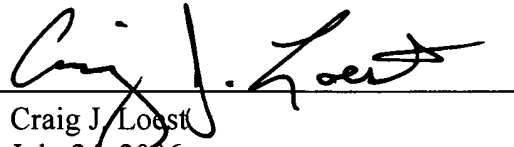
**10/587224**  
**IAP11 Rec'd PCT/PTO 24 JUL 2006**

Attorney Docket No. 2004P00160WOUS

CERTIFICATION OF ATTACHED ENGLISH TRANSLATION OF PCT  
APPLICATION:

PCT/EP2005/050220 based on DE 10 2004 004 821.5 filed 01/30/2004

I hereby certify the English translation attached is a true and accurate copy of the  
referenced PCT/EP2005/050220 application.

A handwritten signature in black ink, appearing to read "Craig J. Loest", is written over a horizontal line.

Craig J. Loest  
July 24, 2006  
Registration No. 48,557

10/587224  
IAP11 Rec'd PCT/PTO 24 JUL 2006

Attorney Docket No. 2004P00160WOUS

**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10**

Express Mail mailing label number: EV 540919546 US

Applicant: Johann Magg et al

Title: COFFEE MACHINE COMPRISING A  
CONTINUOUS HEATER

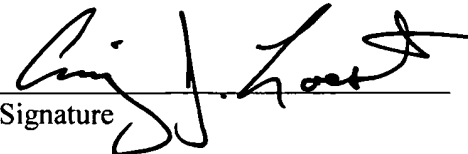
Date of Deposit July 24, 2006

Type of Document(s) Certificate of Express Mailing (1 page);  
Transmittal Letter to the United States  
Designated/Elected Office Concerning a Submission  
under 35 U.S.C. 371, Original and Copy (6 pages);  
Certificate of Translation (1 page);  
Specification (10 pages including claims);  
Drawings (2 pages);  
Preliminary Amendment (5 pages);  
Application Data Sheet (3 pages);  
PCT Publication WO 2005/072584 (18 pages);  
Information Disclosure Statement (152 pages);  
Return postcard.

Serial No.: Unassigned

Filing Date: Concurrently Herewith

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on July 24, 2006 and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Signature

Craig J. Loest, Registration No. 48,557  
Printed Name